IN THE MATTER OF THE THE APPLICATION OF GERD H. PETRICH, D.D.S. FOR VARIANCE ON PROPERTY LOCATED ON THE SOUTH SIDE JOPPA ROAD, 128' WEST OF BALTIMORE AVENUE (219 W. JOPPA ROAD) 9TH ELECTION DISTRICT 4TH COUNCILMANIC DISTRICT * BEFORE THE

* COUNTY BOARD OF APPEALS

* OF

* BALTIMORE COUNTY

* CASE NO. 91-467-A

OPINION

* * * * * * * *

This case comes before this Board on appeal from a decision of the Zoning Commissioner denying the Petition in part and dismissing the Petition in part. The Petitioner, Gerd H. Petrich, D.D.S., seeks a variance from the setback requirements and a variance from the open space requirements. The Zoning Commissioner in his decision calculated the available open space and noted that it exceeded the required open space, so this part of the Petition is now moot. The only matter remaining before the Board is the consideration of the existing 3-foot setback from the front of the house to the property line in lieu of the required 15 feet, and the 28-foot existing setback from the centerline of the street in lieu of the required 40 feet. Testimony was taken from Vincent Moskunas, of M & H Development Engineers, Inc., who prepared the plat and who testified to the information contained thereon, and Dr. Gerd Petrich, who testified as to his purchase and proposed use of the property. There were no protestants present in the room.

This house, as near as could be ascertained, was built in 1928. Entered as Petitioner's Exhibit No. 2 was Key Sheet N, Sheet 39 N.E. 2 from the Baltimore County records which shows that the

Although I would be inclined to grant such a variance, it will not be addressed further in these Findings of Fact and Conclusions of Law in that it was not requested.

Turning my attention then to the requested variances from Section 235.1 of the B.C.Z.R., the Petitioner's Exhibit No. 1 clearly depicts the requested variances. As shown on the site plan, the property features a two story framed building with an enclosed one story framed addition fronting the property. With the enclosure of this addition in 1990, the building envelope lies 28 ft. from the centerline of Joppa Road and 3 ft. from the front property line.

The Petitioner, Dr. Gerd Petrich, appeared and was represented by William Hesson, Esquire. Also appearing on behalf of the Petitioner was Vincent J. Moskunas, Engineer. There were no Protestants.

Proffered testimony by Mr. Hesson indicated that the property was purchased in September of 1990 by his client for use as a dental office. The dental office occupies the first floor of the building and the Petitioner has rented other portions of the building to other business tenants. Specifically, the Dial-A-Maid business operates out of the basement and three small businesses occupy the second floor.

Further testimony indicated that after the purchase of the building, the Petitioner applied for and obtained a building permit, No. B070312 to make certain interior changes to the building. It was proffered that the permit allowed the Petitioner to enclose the existing porch into the addition previously described, install a handicapped ramp, construct new - stairs servicing the basement of the building, and construct new entrances. These changes have all been completed by the Petitioner's contractor.

Case No. 91-467-A Gerd H. Petrich, D.D.S.

footprint of the house as it exists today is virtually the same as it was in May of 1958 when Key Sheet N was produced. Dr. Petrich testified that he purchased this property in September 1990 and entered as Petitioner's Exhibit No. 3 the plat to accompany the application for permit dated February 15, 1991. Permit #B070312 was issued for the renovation work. The Board will note that this Exhibit No. 3, in the right-hand corner, Item 1, states: "Enclose exist. front porch." The contractor, Goetz Brothers, Inc., did the renovations to the building starting in September 1991 and finishing in December 1991, and Dr. Petrich moved in and began his practice in December 1991. He testified at length as to these renovations and the need for them, and especially noted that there were no complaints from any neighbors whatsoever.

The Board is faced with only one issue in this case, that being the existing 3-foot setback in lieu of the required 15 feet and 28 feet in lieu of the required 40 feet from the centerline of the street. The Board will also make note that, while this setback is measured from the porch, if the porch was removed the house would still be in technical violation since it would only end up with a 7-foot setback in lieu of the required 15 feet for the front yard and 34 feet in lieu of the required 40 feet to the center of the road. Even if the porch was ordered removed, the house would have to be picked up and moved back on to the lot. If this was accomplished, the parking in the rear of the building would be destroyed, and therefore the building could not be used as a dentist's office. In consideration of all these factors, the Board

Testimony was also proffered as to the long and consistent history of the use of this property. It was indicated that the metes and bounds configuration of the lot has been unchanged since 1928. Further, the building has been there in its present form since May of 1958 but for the improvements noted above in 1990. This configuration includes the previous porch, which has now been enclosed, and the parking arrangement, both of which have been in place in excess of thirty (30) years. Although the Petitioner offered no reason at the hearing as to why additional space was needed, it is noted on the Petition that the addition was necessary to enlarge the dental practice waiting room and reception areas and to furnish space for equipment necessary to conduct a full scale dental operation. Further, it was argued that strict compliance with the regulations would require elimination of the long standing porch area and would actually infringe on the existing structure. Further, it was alleged that any addition to the building must be made to the front; that is, to add on to the back of the building would adversely affect the existing parking. At present, no parking variance is required or needed because of the location and configuration of the parking lot in the rear area.

Although there was no community opposition to the request, comments by the staff were reviewed. Of particular interest within those comments is the interoffice correspondence from Pat Keller, Deputy Director, Office of Planning and Zoning. Specifically, Mr. Keller notes that the porch enclosure was constructed without the benefit of a building permit, directly contradictory to the proffer made at the hearing. A review of the actual permit is, therefore, required. The permit allows the Petitioner $\stackrel{\sim}{\odot}$ $\stackrel{\sim}{\Box}$ to construct a handicapped ramp and do certain interior alterations. However, the permit specifically states "does not include enclosure of Case No. 91-467-A Gerd H. Petrich, D.D.S.

is of the opinion that to deny the variance would result in practical difficulty and unreasonable hardship. The building as it exists has always existed in this posture, has been used for various office uses for many years, and is almost physically impossible to bring into compliance with modern day zoning requirements. The Board will therefore grant the requested variance for a front yard setback of 3 feet in lieu of the required 15 feet from the front property line and 28 feet in lieu of the required 40 feet from the centerline of the street and will so

ORDER

IT IS THEREFORE this _____ day of ____ August ____, 1992 by the County Board of Appeals of Baltimore County

ORDERED that the Petition for Variance to permit a front yard setback of 3 feet in lieu of the required 15 feet from the front property line and 28 feet in lieu of the required 40 feet from the centerline of the street be and is hereby GRANTED.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

porch". Thus, not only is the Petitioner's proffer a misstatement of the

authority of the permit, but the previous work done was in direct contra-

An area variance may be granted where strict application of the zon-

 whether strict compliance with requirement would unreasonably prevent the use of the proper-

ty for a permitted purpose or render conformance

2) whether the grant would do substantial

injustice to applicant as well as other property owners in the district or whether a lesser relaxa-

tion than that applied for would give substantial

3) whether relief can be granted in such fash-

ion that the spirit of the ordinance will be

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App.

Having reviewed the evidence presented, it is the opinion of the

Zoning Commissioner that the Petitioner has not met his burden as set

forth in Section 307 of the B.C.Z.R. In reviewing the evidence, there is

insufficient evidence to allow a finding that the Petitioner would experi-

ence practical difficulty or unreasonable hardship if the requested vari-

ance was denied. The testimony presented by the Petitioner was in support

of a matter of a preference rather than of the necessity for the vari-

ance. The Petitioner has failed to show that compliance would unreason-

ably prevent the use of the property or be unnecessarily burdensome.

Therefore, the variance requested must be denied.

observed and public safety and welfare secured.

ing regulations would cause practical difficulty to the Petitioner and his

property. McLean v. Soley, 270 Md. 208 (1973). To prove practical

difficulty for an area variance, the Petitioner must meet the following:

unnecessarily burdensome;

relief; and

28 (1974).

diction of the permit itself.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Hacked! William 1 William T. Hackett, Chairman

IN RE: PETITION FOR ZONING VARIANCE * BEFORE THE S/S Joppa Rd., 128 ft. W of Baltimore Avenue * ZONING COMMISSIONER 219 W. Joppa Road 9th Election District * OF BALTIMORE COUNTY 4th Councilmanic District * Case No. 91-467-A Gerd H. Petrich, D.D.S. Petitioner * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests, pursuant to the Petition for Zoning Variances, a variance from Sections 235.1 and 235.B.4 of the Baltimore County Zoning Regulations (B.C.Z.R.). As to Section 235.1, the Petitioner requests a variance to permit front yard setbacks of 3 ft. in lieu of the required 15 ft. from the front property line; and 28 ft. in lieu of the required 40 ft. from the centerline of the street. As to the variance from Section 235.B.4, a closer reading of that section discloses that the variance is not required. Specifically, Section 235.B.4 prescribes the required amonity open space ratio. Petitioner's Exhibit No. 1, the site plan to accompany the Petition, notes that sufficient amenity open space exists, as required under Section 235.B.4. Specifically, the site plan indicates that 249 sq. ft. is required and 355 ft. is provided. Thus, the Petition for Zoning Variance from Section 235.B.4 is rendered moot in view of the fact that the Petitioner has complied with the requirements of that

It appears that what the Petitioner may be seeking is relief from strict compliance with Section 409.8.A.4 of the B.C.Z.R. which requires that no parking space may be closer than 10 ft. to the right-of-way of a public street. In reviewing the plat, it is noted that the public alleyway adjacent to the property is within 10 ft. of the rear parking spaces

> Further, it is to be noted that Petitioner's Exhibit No. 1 discloses that the Petitioner's advertising sign located in the front of the property is within the right-of-way. Although, it was proffered that this sign will be removed, the Petitioner should be advised that if same is not

removed, the property is subject to violation for that reason.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 30 day of 1991 that, pursuant to Petition for Zoning Variance, a variance from Section 235.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a front yard setback of 3 ft. in lieu of the required 15 ft. from the front property line and 28 ft. in lieu of the required 40 ft. from the centerline of the street, as indicated on Petitioner's Exhibit No. 1, is hereby DENIED; and,

IT IS FURTHER ORDERED that, pursuant to Petition for Zoning Variance, a variance from Section 235.B.4 to allow 5 ft. width for amenity open space in lieu of the required 10 ft., is hereby DISMISSED.

Zoning Commissioner

for Baltimore County

cc: Peoples Counsel



Petition for Variance

to the Zoning Commissioner of Baltimore County The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a

Variance from Section 235.1 front yard 3 feet in lieu of 15 feet from the front property line 28 feet in lieu of 40 feet from the center line of the street variance from section 235.B.4 to allow foot width for amenity open space

in lieu of the required 10 feet.
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

1. The enclosed porch area is the only area available to locate the large Pantex x-ray machine necessary for this operation.

. The enclosed porch area is needed for wating room and reception area to maximize the existing inside floor plan for patient treatment areas, to move more efficiently and in an orderly manner. . There are other types of equipment located on the enclosed porch needed to furnish our patients with a complete dental service. If not they would go else where for their treatments.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract Purchaser/Lessee:	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
	Legal Owner(s):
(Type or Print Name)	Gerd H. Petrick D.D.S. (Type of Print Name)
Signature	Signature
Address	(Type or Print Name)
City and State	Signature
Attorney for Petitioner:	
William Hesson /(Type or Print Name) /	219 West Joppa Road 823-1413
William He agon	Address Phone No.
Signature	Towson, Maryland 21204 City and State
uite 700 / 210 W. Pa. Avenue	
	Name, address and phone number of legal owner, co tract purchaser or representative to be contacted
Address	tract nurchaser or representative to be

ESTIMATED LENGTH OF HEARING -1/2HR.

AVAILABLE FOR HEARING MON. LTUES. / WED. - NEXT TWO MONTHS REVIEWED BY: SAA DATE 5 2891 M. & H. DEVELOPMENT ENGINEERS, INC. 200 EAST JOPPA ROAD

ROOM 101, SHELL BUILDING TOWSON, MARYLAND 21204

MAY 22, 1991

DESCRIPTION TO ACCOMPANY PLAT FOR VARIANCE FOR PROPERTY LOCATED AT 219 W. JOPPA ROAD

Beginning for the same at a point measured from the instersection formed by the center line of Baltimore Avenue (60 foot R/W) and the southerly side of Joppa Road (50 foot R/W) westerly therefrom 128 feet more or less. Thence S 17° W64' 2", thence N 76° 31' W 71', thence N 13° E 78' thence along the southerly side of Joppa Road S 66° 13 E 77' to the place of beginning.

Containing 0.12 acre more or less.

REGISTERED SURVEYOR #5095

Malcoim E. Hudkins

Registered Surveyor Phone 828-9060

and Development Management Office of Planning & Zoning 111 West Charabeake Avenue Fowson, MD 21204

> Geralf Tetrick, D.D.S. ्रीत्र West तर्द्रकृत है कर् Parson, Maryland 21991

Dear Petitioner(s):

IMTE: 7/16/91

Onte Austre: 91 (67-A S/S Cappe Road, 1981 Was 1991 Inche Assume 219 W. Joppe Road 9th Flootion District - Stational Champs Bor Tomer(s): Coud at Position, a D.S. NG: TUESDAY, AUGUST 13, 1991 of 10.30 o.m.

887-3353

ZONING OFFICE

Please he advised that \$ / 11/2 is due for advertising and posting of the above captioned

Baltimore County Government

Office of Zoning Administration

THIS FER MUST BE PAIR AND THE CONING SIGN & FOST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) PROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Saltimore County, Maryland. Bring the check and the sign & post set(z) to the Zoning Office, County Office Building, 111 W. Chesapeaks Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your bearing is acheduled to begin.

7/21/91

ZURING COMMISSIONER BACTIMORE COUNTY, MARYLAND

co: William Hesson, Esq.

Please reschedule learns to a Wednesday, AM as I and me family are out of the City on Vacation 8/13/91 (fra. 8/8 to 8/19 Vacation) over 6 months ago Please confirme newday

CC U Heason To

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

887-3353

July 29, 1991

Gerd H. Petrick, D.D.S. 219 West Joppa Road Towson, MD 21204

91-467-A Case Number(s): Petitioner(s): 219 West Joppa Road Location:

Dear Petitioners:

The above matter, previously set to be heard on August 13, 1991, has been postponed and rescheduled for WEDNESDAY, SEPTEMBER 25, 1991 at 9:00 a.m.

> Very truly yours, G. G. Stephens *l*(301) 887-3391

cc: William Hesson, Esq.

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

COPY

887-3353

Towson, MD 21204

111 West Chesapeake Avenue

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-467-A S/S Joppa Road, 128' W of Baltimore Avenue 219 W. Joppa Road 9th Election District - 4th Councilmanic Petitioner(s): Gerd H. Petrick, D.D.S. HEARING: TUESDAY, AUGUST 13, 1991 at 10:30 a.m.

Variance to allow a front yard 3 ft. in lieu of 15 ft. from the front property line 28 ft. in lieu of 40 ft. from the center line of the street and to allow 5 ft. width for amenity open space in lieu of the required 10 ft.

Zoning Commissioner of Baltimore County

cc: Gerd H. Petrick, D.D.S. William Hesson, Esq.

Baltimore County Government
Office of Zoning Administration and Development Management
Office of Planning & Zoning

COPY

887-3353

Towson, MD 21204

Gerd H. Petrick, D.D.S. 219 West Joppa Road Towson, Maryland 21204

111 West Chesapeake Avenue

Case Number: 91-467-A S/S Joppa Road, 128' W of Baltimore Avenue 219 W. Joppa Road 9th Election District - 4th Councilmanic Petitioner(s): Gerd H. Petrick, D.D.S. HEARING: TUESDAY, AUGUST 13, 1991 at 10:30 a.m.

Dear Petitioner(s):

Please be advised that \$ // is due for advertising and posting of the above captioned

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) PROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avanue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

ZONTING COMMISSIONER BALTIMORE COUNTY, MARYLAND

cc: William Hesson, Esq.

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

887-3353

July 26, 1991

Gerd H. Petrick, D.D.S. 219 West Joppa Road Towson, Maryland 21204

Petitioner(s): Gerd H. Petrick, et ux

219 W. Joppa Road

Case Number(s): 91-467-A

Dear Petitioners:

This to acknowledge receipt of your July 21, 1991 correspondence requesting postponement of the above captioned matter. Accordingly, the case has been pulled from August 13, 1991 docket.

Notice of the new hearing date will be forwarded to you shortly.

Very truly yours,

G. Stephens (301) 887-3391

William Hesson. Esq.

Gerd H. Petrich, D.D.S. and Associates 219 WEST JOPPA ROAD SUITE 100 TOWSON, MARYLAND 21204-4042

821-3116 fox.

TELEPHONE (301) 823-1413 FAX (301) 337-0668

J Michael Lawler Peter Kern, Fred Hines Board of Directors of 606 Condonumen, Inc made some very nice verbal remarks as to 219 West Joppa Rd.

Mr hawler, Esq. said that it you needed his help in person ar in writing re 219 W Joppa variance hearing, he would be glad to assist m am, way

other Jun poses for me when I furchased the building in Sep 90.

If you want me to approach her harrier, et al, regarding this matter, let me know or contact them from your end. It hawler Says many good things about your phele as an abturbey hank you, good

LAW OFFICES

Radcliffe & Radcliffe, D.A. 608 BALTIMORE AVENUE Towson, Maryland 21204 (301) 828-0333

> _______ FAX No. (301) 321-6.

MICHAEL S. RADCLIFFE

M. STANLEY RADCLIFFE (1924 - 1988)

September 13, 1991

Gerd H. Petrich, D.D.S. 219 West Joppa Road Suite 100 Towson, Maryland 21204-4042

Re: Banner/sign

Dear Dr. Petrich;

Please be advised that I have reviewed the matter of your sign and porch enclosure with my fellow owners and occupants of 608 Baltimore Avenue. We are pleased to advise you that we have absolutely no objection to the sign which you would like to hang outside of your building. As to the porch enclosure, we think that the work that you have contracted for to enclose the porch has been done well and blends in well with the surroundings. As such, we have absolutely no objection to the enclosure.

We hope this letter is useful to you in your zoning matter, and wish you the best of luck.

County Board of Appeals of Baltimore County -COUNTY OFFICE BUILDING, ROOM 315

-111-W. CHESAPEAKE AVENUE TOWSON, MARYLAND 21204 Hearing Room -(301) 887-3180 Room 48, Old Courthouse 400 Washington Avenue January 14, 1992

NOTICE OF ASSIGNMENT NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH

RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 91-467-A GERD H. PETRICH, D.D.S. S/s Joppa Road, 128' W of Baltimore Avenue (219 W. Joppa Rd.) 9th Election District; 4th Councilmanic District

VAR-Setbacks, open space

9/30/91 - Z.C.'s Order DENYING in part; DISMISSING in part.

TUESDAY, APRIL 21, 1992 AT 10:00 a.m. ASSIGNED FOR: cc: William M. Hesson, Jr., Esquire - Counsel for Petitioner

Gerd H. Petrich, D.D.S. - Petitioner/Appellant Mr. Vincent Moskunas

People's Counsel for Baltimore County P. David Fields Pat Keller Public Services Lawrence E. Schmidt

Timothy M. Kotroco James E. Dyer W. Carl Richards, Jr. Docket Clerk - Zoning Arnold Jablon, Director of Zoning Administration

LindaLee M. Kuszmaul Legal Secretary

400 WASHINGTON AVE.

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

887-3353

November 1, 1991

Baltimore County Board of Appeals County Office Building, Room 315 Towson, Maryland 21204

RE: Petition for Zoning Variance S/S Joppa Road, 128 ft. W of Baltimore Avenue (219 W. Joppa Road) 9th Election District, 4th Councilmanic District GERD H. PETRICH, D.D.S. - Petitioner Case No. 91-467-A

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on October 28, 1991 by William M. Hesson, Jr., Attorney on behalf of the petitioner. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

LES:cer

Enclosures

cc: Gerd H. Petrich, D.D.S. - 219 W. Joppa Road, Balto., MD 21204 William M. Hesson, Jr. - Frank, Bernstein, Conaway & Goldman Suite 630, 210 West Pennsylvania Ave., Towson, MD 21204 Vincent Moskunas - 200 E. Joppa Road, Baltimore, MD 21204

People's Counsel of Baltimore County Rm. 304, County Office Bldg., Towson, Md. 21204

February 13, 1991

Re: 219 W. Joppa Road

Citation: B 91-269 Front Porch Variance

with the decor of other adjacent buildings.

B070312

Please be advised that I am a part owner of 608 Baltimore Avenue,

Towson, Maryland 21204. My property is on the corner of Baltimore Avenue and Joppa Road and adjacent to the above-captioned

Please be advised that myself and my co-owners of 608 Baltimore

Avenue have no objection to Dr. Gerd Petrich's plan to enclose

his front porch. It is our opinion that the improvements he has

made to the building are tasteful, appropriate, and blend in well

I wish to advise that we have no objection to the granting of the

Very truly yours,

NICHOLAS J. PISTOLAS

variance. Separate letters are attached from my co-owners.

Baltimore County Permits & Licenses

County Office Building

G. Berry

Attn: J. Reisinger

Gentlemen:

property.

NJP/cm

Towson, Maryland 21204

COUNTY COUNCIL OF BALTIMORE COUNTY COURT HOUSE, TOWSON, MARYLAND 21204

DOUGLAS B RILEY CHA RMAN COUNTY COUNC . COUNCILMAN FOURTH DISTRICT

December 17, 1991

COUNCIL OFFICE: 887-3389

Gerd H. Petrich, D.D.S. 219 West Joppa Road, Suite 100 Towson, Maryland 21204-4042

Re: Zoning Case No. 91-467-A

Dear Dr. Petrich:

I have received the information you sent to me regarding Zoning Case No. 91-467-A. As you know, this case is currently the subject of litigation. Accordingly, it would be inappropriate for me to take any action at this time.

Sincerely,

Douglas B. Riley Councilman, Fourth District

DBR:akd

cc: Armold Jablon, Director Zoning Administration and Development Management PETRICH.1/TXTAKD





MONUMENTAL PROCESS SERVERS, INC. 221 WEST JOPPA ROAD

The territory of the state of the territory of the state many representations of the property of the state of the property of the prope

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 Hearing Room -Room 48, Old Courthouse (410) 887-3180 400 Washington Avenue April 2, 1992

NOTICE OF POSTPONEMENT AND REASSIGNMENT
NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH

CASE NO. 91-467-A GERD H. PETRICH, D.D.S. GERD H. PETRICH, D.D.S. S/s Joppa Road, 128' W of

Baltimore Avenue (219 W. Joppa Rd.) 9th Election District; 4th Councilmanic District

VAR-Setbacks, open space

9/30/91 - Z.C.'s Order DENYING in part; DISMISSING in part.

which was scheduled for hearing on April 21, 1992 has been POSTPONED at the request of Counsel for Petitioner/Appellant and

WEDNESDAY, JULY 29, 1992 AT 10:00 a.m.

cc: William M. Hesson, Jr., Esquire - Counsel for Petitioner Gerd H. Petrich, D.D.S. - Petitioner/Appellant

Mr. Vincent Moskunas

People's Counsel for Baltimore County P. David Fields Lawrence E. Schmidt Timothy M. Kotroco W. Carl Richards, Jr. Docket Clerk - Zoning Arnold Jablon, Director of Zoning Administration

LindaLee M. Kuszmaul Legal Secretary

Baltimore County Board of Appeals County Office Building, Room 315 Towson, Maryland 21204

RE: Petition for Zoning Variance S/S Joppa Road, 128 ft. W of Baltimore Avenue (219 W. Joppa Road) 9th Election District, 4th Councilmanic District GERD H. PETRICH, D.D.S. - Petitioner Case No. 91-467-A

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on October 28, 1991 by William M. Hesson, Jr., Attorney on behalf of the petitioner. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

Zoning Commissioner

LES:cer

Enclosures

cc: Gerd H. Petrich, D.D.S. - 219 W. Joppa Road, Balto., MD 21204 William M. Hesson, Jr. - Frank, Bernstein, Conaway & Goldman

Suite 630, 210 West Pennsylvania Ave., Towson, MD 21204 Vincent Moskunas - 200 E. Joppa Road, Baltimore, MD 21204

People's Counsel of Baltimore County Rm. 304, County Office Bldg., Towson, Md. 21204

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Director Zoning Administration and DATE: July 29, 1991

Development Management

Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: Gerd H. Petrich, D.D.S., Item No. 455

In reference to the petitioner's request, staff offers the following comments.

Based upon the analysis conducted, this office recommends the applicant's request be denied for the reasons as follows:

- A variance to the amenity open space request is not desirable. The draft Towson Community Plan indicates that the lawn setback at the Immaculate Conception Church along Bosley Avenue and Joppa Road be retained. The petitioner's parcel is located within close proximity to the church and the elimination of open space is not advisable because the overall network of open space would be negatively impacted by the proposed reduction.

- The double-sided sign appears to be located within the right-of-way.

The front setback variance is not appropriate since the addition would allow little room for street trees along Joppa

The porch enclosure - already completed - appears to have been constructed without the benefit of a building permit (a CRG meeting or waiver would be required for this addition.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

Rec! d 1/31/91

APPEAL

Petition for Zoning Variance S/S Joppa Road, 128 ft. W of Baltimore Avenue (129 W. Joppa Road) 9th Election District - 4th Councilmanic District GERD H. PETRICH, D.D.S. - Petitioner Case No. 91-467-A

Petition(s) for Zoning Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel (None submitted)

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments (Included with ZAC Comments)

Petitioner's Exhibits: 1. Plat to accompany Petition

2. Copy of Petition for Variance

3. Plan to accompany Permit #306

4. - 7. Letters of support

Zoning Commissioner's Order dated (Denied in part; Dismissed in part) Notice of Appeal received October 18, 1991 from William M. Hesson,

Jr., Attorney on behalf of the Petitioner

cc: Gerd H. Petrich, D.D.S. - 219 W. Joppa Road, Balto., MD 21204 William M. Hesson, Jr. - Frank, Bernstein, Conaway & Goldman Suite 630, 210 West Pennsylvania Ave., Towson, MD 21204

Vincent Moskunas - 200 E. Joppa Road, Baltimore, MD 21204

People's Counsel of Baltimore County Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning Patrick Keller, Office of Planning & Zoning Lawrence E. Schmidt, Zoning Commissioner Timothy M. Kotroco, Deputy Zoning Commissioner James E. Dyer, Zoning Supervisor W. Carl Richards, Jr., Zoning Coordinator Docket Clerk Arnold Jablon, Director of Zoning Administration and Development Management Public Services

County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (410) 887-3180

August 6, 1992

William M. Hesson, Jr., Esquire Suite 630, 210 W. Pennsylvania Avenue Towson, MD 21204

RE: Case No. 91-467-A Gerd H. Petrich, D.D.S.

Dear Mr. Hesson:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Sincerely, Hacker Chardenkumm. Kathleen C. Weidenhammer Administrative Assistant

cc: Gerd H. Petrich, D.D.S. Vincent Moskunas People's Counsel for Baltimore County P. David Fields Lawrence E. Schmidt Timothy M. Kotroco W. Carl Richards, Jr. Docket Clerk - Zoning Arnold Jablon, Director of Zoning Administration

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue Towson, MD 21204

887-3353

September 26, 1991

William Hesson, Esquire Suite 700, 210 W. Pennsylvania Avenue Towson, Maryland 21204

> RE: Petition for Zoning Variance Gerd H. Petrich, D.D.S. Case No. 91-467-A

Dear Mr. Hesson:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been denied, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

> Very truly yours, Lawrence E. Schmidt Zoning Commissioner

LES:mmn encl. cc: Peoples Counsel cc: Petitioner

1/14/92 - Following parties notified of hearing set for April 21, 1992 at 10:00 a.m.:

William M. Hesson, Jr., Esquire

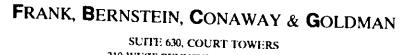
Gerd H. Petrich, D.D.S.

Docket Clerk - Zoning

Arnold Jablon

Mr. Vincent Moskunas People's Counsel for Baltimore County P David Fields Pat Keller Public Services Lawrence E. Schmidt Timothy M. Kotroco James E. Dyer W. Carl Richards, Jr.

3/31/32 -Lotter request Prott NEWENT from Gerd H. Fetrick, Appellant/Petitioner out of town week of hearing; also out of country through (1957). 4/2/92 - Atove parties notified of POSTFOMEMENT and REASSIGNMENT to July 09, 1992 at the request of Counsel for Fetitioner/Appellant.



LAW OFFICES

300 EAST LOMBARD STREET BALTIMORE, MARYLAND 21202 (301) 625-3500

10227 WINCOPIN CIRCLE

(301) 730-9477

210 WEST PENNSYLVANIA AVENUE TOWSON, MARYLAND 21204 (301) 821-3100

1003 WEST SEVENTH STREET FREDERICK, MARYLAND 21701 (301) 663-5335

6701 DEMOCRACY BOULEVARD

FACSIMILE: (301) 821-3116 COLUMBIA, MARYLAND 21044 CABLE: FRASKOP TELEX: 87939

BITTHESDA, MARYLAND 20817 (301) 897-8282

1730 M STREET, N.W. WASHINGTON, D.C. 20036 October 28, 1991 (202) 416-0213

WILLIAM M. HESSON, JR. DIRECT DIAL NUMBER (301) 821-0593

HAND DELIVERY

Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

> Re: Petition for Zoning Variance Gerd H. Petrich, D.D.S. Case No. 91-467-A

Dear Mr. Commissioner:

Please enter an Appeal from the Order of the Commissioner in the above-captioned case, which Order is dated September 30, 1991. The Appeal is filed by me on behalf of the petitioner, Gerd H. Petrich, D.D.S. Please me at the above address of the date and time of the hearing on appeal.

If you need any further information, please do not hesitate to contact me.

> / Very truly yours,/ Il felicant Ferrit. William M. Hesson, Jr,

Enclosure

cc: Board of Appeals of Baltimore County People's Counsel for Baltimore County Gerd H. Petrich, D.D.S.



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49 400 WASHINGTON AVENUE TOWSON, MARYLAND 21204 (410) 887-3180

Hearing Room -Room 48, Old Courthouse 400 Washington Avenue April 2, 1992

NOTICE OF POSTPONEMENT AND REASSIGNMENT
NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND

SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79. GERD H. PETRICH, D.D.S.

S/s Joppa Road, 128' W of Baltimore Avenue (219 W. Joppa Rd.) 9th Election District; 4th Councilmanic District

VAR-Setbacks, open space 9/30/91 - Z.C.'s Order DENYING in

part; DISMISSING in part.

which was scheduled for hearing on April 21, 1992 has been POSTPONED at the request of Counsel for Petitioner/Appellant and has been

REASSIGNED FOR: WEDNESDAY, JULY 29, 1992 AT 10:00 a.m.

cc: William M. Hesson, Jr., Esquire - Counsel for Petitioner

Gerd H. Petrich, D.D.S. - Petitioner/Appellant Mr. Vincent Moskunas

People's Counsel for Baltimore County P. David Fields Lawrence E. Schmidt Timothy M. Kotroco W. Carl Richards, Jr. Docket Clerk - Zoning Arnold Jablon, Director of Zoning Administration

LindaLee M. Kuszmaul Legal Secretary



County Board of Appeals of Baltimore County

(301) 887-3180

-COUNTY OFFICE BUILDING, ROOM 315 111 W CHESAPEAKE AVENUE 400 WASHINGTON AV TOWSON, MARYLAND 21204

Hearing Room -Room 48, Old Courthouse

400 Washington Avenue January 14, 1992

NOTICE OF ASSIGNMENT NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

GERD H. PETRICH, D.D.S. S/s Joppa Road, 128' W of Baltimore Avenue (219 W. Joppa Rd.) 9th Election District; 4th Councilmanic District

VAR-Setbacks, open space

9/30/91 - Z.C.'s Order DENYING in part; DISMISSING in part.

ASSIGNED FOR:

TUESDAY, APRIL 21, 1992 AT 10:00 a.m. cc: William M. Hesson, Jr., Esquire - Counsel for Petitioner Gerd H. Petrich, D.D.S. - Petitioner/Appellant

Mr. Vincent Moskunas

People's Counsel for Baltimore County P. David Fields Pat Keller Public Services Lawrence E. Schmidt

Timothy M. Kotroco James E. Dyer W. Carl Richards, Jr. Docket Clerk - Zoning Arnold Jablon, Director of Zoning Administration

LindaLee M. Kuszmaul Legal Secretary

LAW OFFICES

FRANK, BERNSTEIN, CONAWAY & GOLDMAN

SUITE 630, COURT TOWERS 210 WEST PENNSYLVANIA AVENUE TOWSON, MARYLAND 21204

300 EAST LOMBARD STREET BALITMORE, MARYLAND 21202 (410) 821-3100 (410) 625-3500

PRIDERICK, MARYLAND 21701 (301) 663-5335

10227 WINCOPIN CIRCLE FACSIMILE: (410) 821-3116 COLUMBIA, MARYLAND 21044 CABLE: FRASKOP (301) 730-9477 TELEX: 87939 1730 M STREET, N.W.

WASHINGTON, D.C. 20036

(202) 416-0213

6701 DEMOCRACY BOULEVARD BITTHESDA, MARYLAND 20817 (301) 897-8282

1003 WEST SEVENTH STREET

WILLIAM M. HESSON, JR. DIRECT DIAL NUMBER (410) 821-0593

April 1, 1992

Baltimore County Board of Appeals Room 49, Old Court House 400 Washington Avenue Towson, Maryland 21204

> Re: Gerd H. Petrich, D.D.S. Case No. 91-467-A Hearing Date: April 21, 1992

Dear Members of the Board of Appeals:

I represent the Petitioner-Appellant in the above captioned case and my client has requested that the hearing scheduled for April 21, 1992 be postponed until sometime after June 5, 1992. My client further requests that the hearing be scheduled in the morning on a Wednesday due to his surgical schedule on other days of the week.

I have attached herewith the letter from my client in justification of this request. I would appreciate your favorable disposition of this matter.

> very truly yours, African Transfer

> William M. Hesson, Jr.

Enclosure

cc: Gerd H. Petrich, D.D.S. Vince Moskunas

People's Counsel for Baltimore County

PETRICH.LTR

CC WM Hessan Exq Vencent Making. People's Coursel for Belte County Currenty Mand of Appears

Gerd H. Petrich, D.D.S. and Associates 219 WEST JOPPA ROAD SUITE 100 TOWSON MARYLAND 21204-4042

TELEPHONE: (301) 823-1413 FAX: (301) 337-0668

My children (4 plus 2 grusts) were try in Florida due to school Semister Break from 16 Apr to 29 Apr 92 and titel aise te inst, of the country due. to samily death/energency three 5 penc 92. Light Schedule AM on hudnesdays ille to heavy sergical Schidule in

Arnold Jablon, Director of Zoning

المستعدين والمناسبين

JAN 1 5 1992

FICON: 3

400 WASHINGTON AVE.

LindaLee M. Kuszmaul Legal Secretary

RE: PETITION FOR ZONING VARIANCE S/S Joppa Road, 128' W of Baltimore Ave. (219 W. Joppa Road), 9th Election District, 4th Councilmanic District

OF BALTIMORE COUNTY

: BEFORE THE COUNTY BOARD OF APPEALS

: Case No. 91-467-A GERD H. PETRICH, D.D.S., Petitioner

ENTRY OF APPEARANCE

::::::

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
People's Counsel for Baltimore County

Fiter lax in memor Peter Max Zimmerman Deputy People's Counsel Room 304, County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 (410) 887-2188

I HEREBY CERTIFY that on this 13th day of November, 1991, a copy of the foregoing Entry of Appearance was mailed to William M. Hesson, Jr., Esquire, Frank, Bernstein, Conaway & Goldman, Suite 630, Court Towers, 210 W. Pennsylvania Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman

LAW OFFICES

FRANK, BERNSTEIN, CONAWAY & GOLDMAN

SUITE 630, COURT TOWERS 210 WEST PENNSYLVANIA AVENUE TOWSON, MARYLAND 21204 300 EAST LOMBARD STREET RALTIMORE, MARYLAND 21202

(301) 625-3500 10227 WINCOPIN CIRCLE COLUMBIA, MARYLAND 21044 (301) 730-9477

(301) 821-3100 FACSIMILE: (301) 821-3116 CABLE: FRASKOP

(301) 663-5335 6701 DEMOCRACY BOULEVARD BETHESDA, MARYLAND 20817 (301) 897-8282

1003 WEST SEVENTH STREET

FREDERICK, MARYLAND 21701

1730 M STREET, N.W. WASHINGTON, D.C. 20036 (202) 416-0213

October 28, 1991

TELEX: 87939

WILLIAM M. HESSON, JR. DIRECT DIAL NUMBER (301) 821-0593

HAND DELIVERY

Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

> Re: Petition for Zoning Variance Gerd H. Petrich, D.D.S. Case No. 91-467-A

Dear Mr. Commissioner:

Please enter an Appeal from the Order of the Commissioner in the above-captioned case, which Order is dated September 30, 1991. The Appeal is filed by me on behalf of the petitioner, Gerd H. Petrich, D.D.S. Please me at the above address of the date and time of the hearing on appeal.

If you need any further information, please do not hesitate to contact me.

Enclosure

cc: Board of Appeals of Baltimore County People's Counsel for Baltimore County Gerd H. Petrich, D.D.S.

相等: 11.1 193 16

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

- H1 West Chesapeake Avenue Towson, MD 2120+

November 1, 1991

88- 3353

Baltimore County Board of Appeals County Office Building, Room 315 Towson, Maryland 21204

RE: Petition for Zoning Variance S/S Joppa Road, 128 ft. W of Baltimore Avenue (219 W. Joppa Road) 9th Election District, 4th Councilmanic District GERD H. PETRICH, D.D.S. - Petitioner Case No. 91-467-A

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on October 28, 1991 by William M. Hesson, Jr., Attorney on behalf of the petitioner. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

> A white Zoning Commissioner

Very truly yours,

LES:cer

Enclosures

cc: Gerd H. Petrich, D.D.S. - 219 W. Joppa Road, Balto., MD 21204 William M. Hesson, Jr. - Frank, Bernstein, Conaway & Goldman

Suite 630, 210 West Pennsylvania Ave., Towson, MD 21204 Vincent Moskunas - 200 E. Joppa Road, Baltimore, MD 21204 People's Counsel of Baltimore County

Rm. 304, County Office Bldg., Towson, Md. 21204

File

LAW OFFICES

County Board of Appeals of Baltimore County

-COUNTY OFFICE BUILDING, ROOM 315

TOWSON, MARYLAND 21204

(301) 887-3180

NOTICE OF ASSIGNMENT NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND

SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE

IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO

POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF

SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH

cc: William M. Hesson, Jr., Esquire - Counsel for Petitioner

Gerd H. Petrich, D.D.S. - Petitioner/Appellant

People's Counsel for Baltimore County

- ~ ho b -

GERD H. PETRICH, D.D.S.

9th Election District;

S/s Joppa Road, 128' W of

4th Councilmanic District

VAR-Setbacks, open space

part; DISMISSING in part.

TUESDAY, APRIL 21, 1992 AT 10:00 a.m.

Baltimore Avenue (219 W. Joppa Rd.)

9/30/91 - Z.C.'s Order DENYING in

RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

Hearing Room -

ASSIGNED FOR

Mr. Vincent Moskunas

P. David Fields

Public Services

James E. Dyer

Lawrence E. Schmidt

Timothy M. Kotroco

Administration

W. Carl Richards, Jr.

Docket Clerk - Zoning

Pat Keller

Room 48, Old Courthouse

400 Washington Avenue January 14, 1992

FRANK, BERNSTEIN, CONAWAY & GOLDMAN

SUITE 630, COURT TOWERS 210 WEST PENNSYLVANIA AVENUE

1003 WEST SEVENTH STREET TOWSON, MARYLAND 21204 PREDERICK, MARYLAND 21701 (301) 821-3100

10227 WINCOPIN CIRCLE FACSIMILE: (301) 821-3116 COLUMBIA, MARYLAND 21044 CABLE: FRASKOP (301) 730-9477

TELEX: 87939

October 28, 1991

WILLIAM M. HESSON, JR. DIRECT DIAL NUMBER (301) 821-0593

(301) 663-5335

6701 DEMOCRACY BOULEVARD

BETTUSDA, MARYLAND 20817

(301) 897-8282

HAND DELIVERY

300 EAST LOMBARD STREET

BALTIMORE, MARYLAND 21202

(301) 625-3500

1730 M STREET, N.W.

WASHINGTON, D.C. 20036

(202) 416-0213

Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Re: Petition for Zoning Variance Gerd H. Petrich, D.D.S. Case No. 91-467-A

Dear Mr. Commissioner:

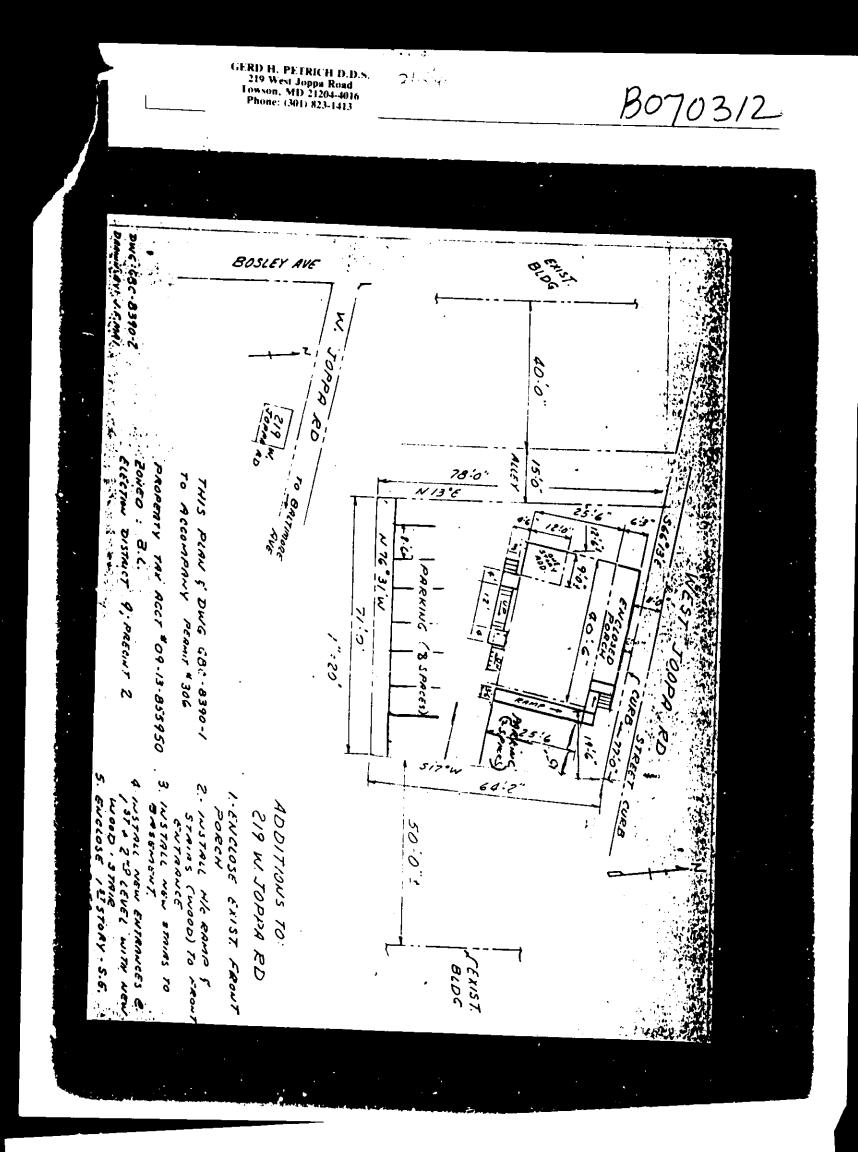
Please enter an Appeal from the Order of the Commissioner in the above-captioned case, which Order is dated September 30, 1991. The Appeal is filed by me on behalf of the petitioner, Gerd H. Petrich, D.D.S. Please me at the above address of the date and time of the hearing on appeal.

If you need any further information, please do not hesitate to contact me.

William M. Hesson, Jr/

Enclosure

cc: Board of Appeals of Baltimore County People's Counsel for Baltimore County Gerd H. Petrich, D.D.S.



CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Townson, Maryland

vistrict 1 C/L	1 D. D. S
Petitioner: Good Jonata A	de D. D. S. ad J. 124 W. of Bactomere arenes.
Location of Signs: 112 final 4	2,9 10 10/12 Word
Remarks: Posted by X. D. Grata Signature	Date of return: Lienquies 15, 1091

Zono y Commiste a count Office Puidos.

11: West a sequence of the Townson Ministrated 21:5

Account R 001:6:50

Number

3

Cashier Validation

Please Make Checks Payable To. Bultimore County

BR-CSA

BR-CSA

BR-CSA

BR-CSA

CATHOLIC CHURCH

BSCHOOL

AVE

BR-CSA

AVE

CATHOLIC CHURCH

BR-CSA

AVE

CATHOLIC CHURCH

CA

Baltimore County
Zoning Commisioner
County Office Building
111 West Chesopeake Avenue
Tewson, Maryland 21204

Deta

Deta

Deta

Deta

Account: R-001-6150
Number

H9100455

PUBLIC HEARING FEES

OTY PRICE

OZO -ZONING VARIANCE: (OTHER) 1 X \$175.00

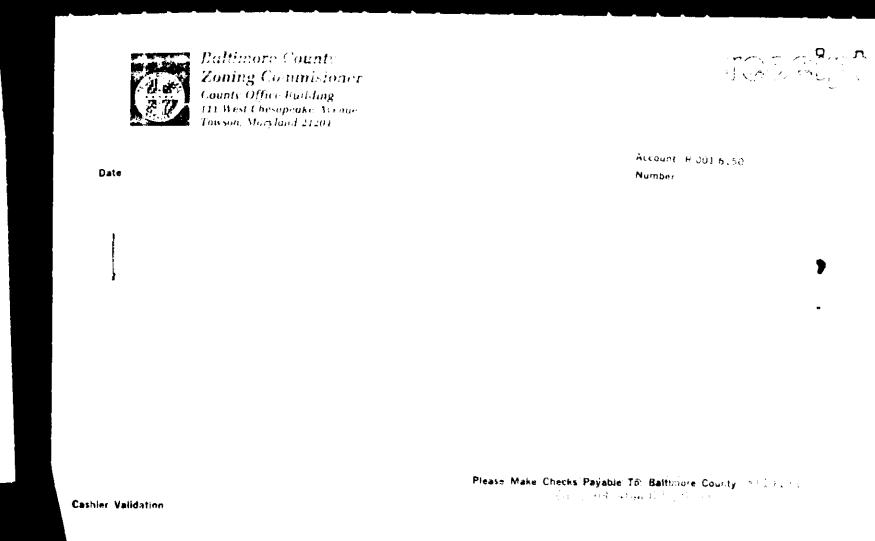
TOTAL: \$175.00

LAST NAME OF OWNER: PETRICH

Please Make Checks Payable Te: Baltimore County D9: 37AM05-28-91

Please Make Checks Payable Te: Baltimore County D9: 37AM05-28-91

JANUARY



CERTIFICATE OF PUBLICATION

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-467-A S/S Joppa Road, 128' W of Baltimore Avenue 219 W. Joppa Road 9th Election District 4th Councimanic Petitioner(s):

Gerd H. Petrick, D.D.S. Hearing Date: Tuesday, Aug. 13, 1991 at 10:30 a.m.

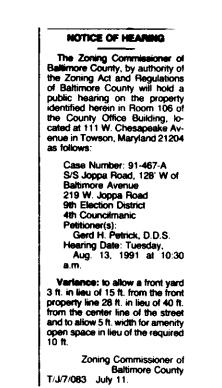
Variance: to allow a front yard 3 ft. in lieu of 15 ft. from the front property line 28 ft. in lieu of 40 ft. from the center line of the street and to allow 5 ft. width for amenity open space in lieu of the required 10 ft.

Zoning Commissioner of Baltimore County T/J/7/083 July 11.

S. Zehe Olmo

Publisher

CERTIFICATE OF PUBLICATION



TOWSON, MD.,

THIS IS TO CERTIFY, that the annexed advertisement was published in TOWSON TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on 1991.

TOWSON TIMES,

5. Zeke Orling Publisher

\$ 89.91

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towner, Maryland

Posted for: 2 anne	Date of Posting Systember 6, 199
Petitioner: June H. Pitail	V
Location of property: 5/5 Jenha 1	
219 We John Da	-128 Wat Buttinger Grens
Location of Signer In June 1 1	9. D. Deppe Real
Remarks:	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
Posted by A J. Gliata.	
fumber of Signer	- Data of return September 13, 1941

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue Towson, MD 21204

887 3353

887 3353

July 18, 1991

William Hesson, Esquire Suite 700/210 W. Pennsylvania Avenue Towson, MD 21204

> RE: Item No. 455, Case No. 91-467-A Petitioner: Gerd H. Petrick Petition for Variance

Dear Mr. Hesson:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing conting commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

OAMES E. DYER

Chairman

Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. Gerd H. Petrick 219 W. Joppa Road Towson, MD 21204

> Baltimore County Government Zoning Commissioner Office of Planning and Zoning

111 West Chesapeake Avenue Towson, MD 2120+

Your petition has been received and accepted for filing this 12th day of June, 1991.

ARNOLD JABLON
DIRECTOR

Received By:

Chairman, Zoning Plans Advisory Committee

Petitioner: Gerd H. Petrick

Petitioner's Attorney: William Hesson

BUREAU OF TRAFFIC ENGINEERING DEPARTMENT OF PUBLIC WORKS BALTIMORE COUNTY, MARYLAND

DATE: June 25, 1991

Mr. J. Robert Haines Zoning Commissioner

Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: June 11, 1991

This office has no comments for items number 452, 454, 455, 456, 457, 461, 462 and 466.

Traffic Engineer II

RJF/lvd

Baltimore County Government Fire Department

700 Fast Joppa Road, Suite 901 Towson, MD 2120+5500

G01188" (500)

JUNE 20, 1991

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Paltimore County Office Building Towson, MD 21204

GEEL H. BELLICK RE: Property Owner:

#219 WEST JOPPA POAD

Item No.: 455 Zoning Agenda: JUNE 11, 1991

Gentlemen:

Location:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

Fire Prevention Bureau Special Inspection Division

JK/KEK

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: June 19, 1991

FROM: Robert W. Bowling, P.E.

Zoning Advisory Committee Meeting for June 11, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 452, 454, 456, 457, 462 and 466.

For Items 455 and 461, a County Review Group Meeting may be required for these sites.

> Robert W. Bowling, P.E. Chief, Developers Engineering Division

RWB:8

LAW OFFICES

Radcliffe & Radcliffe, D.A. 608 BALTIMORE AVENUE Towson, Maryland 21204 (301) 828-0333

Fax No. (301) 321-8906

MICHAEL S. RADCLIFFE

M. Stanley Radcliffe (1924-1988)

September 13, 1991

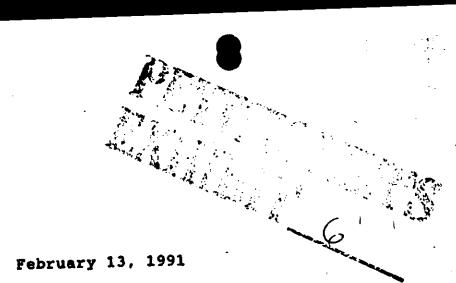
Gerd H. Petrich, D.D.S. 219 West Joppa Road Suite 100 Towson, Maryland 21204-4042

Re: Banner/sign

Please be advised that I have reviewed the matter of your sign and porch enclosure with my fellow owners and occupants of 608 Baltimore Avenue. We are pleased to advise you that we have absolutely no objection to the sign which you would like to hang outside of your building. As to the porch enclosure, we think that the work that you have contracted for to enclose the porch has been done well and blends in well with the surroundings. As such, we have absolutely no objection to the enclosure.

We hope this letter is useful to you in your zoning matter, and wish you the best of luck.

MSR:jc



Baltimore County Permits & Licenses County Office Building

Attn: J. Reisinger G. Berry

Towson, Maryland 21204

Re: 219 W. Joppa Road B070312 Citation: B 91-269 Front Porch Variance

Gentlemen:

Please be advised that I am a part owner of 608 Baltimore Avenue, Towson, Maryland 21204. My property is on the corner of Baltimore Avenue and Joppa Road and adjacent to the above-captioned property.

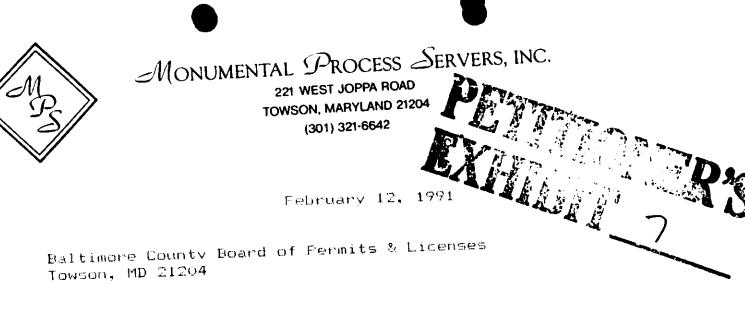
Please be advised that myself and my co-owners of 608 Baltimore Avenue have no objection to Dr. Gerd Petrich's plan to enclose his front porch. It is our opinion that the improvements he has made to the building are tasteful, appropriate, and blend in well with the decor of other adjacent buildings.

I wish to advise that we have no objection to the granting of the variance. Separate letters are attached from my co-owners.

Very truly yours,

NICHOLAS J. PISTOLAS

NJP/cm



To whom it may concern:

Please be advised that our firm, which is located across the alley from that of Doctor Petrich, has no objections to the porch enclosure recently completed.

In our opinion, the building improvements have, if anything, enhanced the appearance of the property, and are a welcome addition to the area.

SHF: JSF

PLEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET		
<u>NAME</u>	ADDRESS	
VINCONT J. MOSKUNAS	2006 Jepiake 21209	
CIA A TARAGERAS	219 61 Jospa Pd 21209	
	· 	
		
	·	
		

Gerd H. Petrich, D.D. G. and Associates
TOWSON, MARYLAND 21204-40-40
TELEPHONE: (301) 823-1413 8 21-3116 for
Dear Mr Hessal 123
1/20/91
Dear Im Hessack 123
Dear Mr Hessand To The
T Michael La Ser Palan Van Filan
I would have , that ken, Fred Himes
Board of Directors of 606 Condorumen, One
J Michael Lawler, Peter Kern, Fred Hines Board of Directors of 606 Condorumin, One made some very nice verbal remarks as to
while they there there there we to
219 West Toppa Rd.
Mr hawler, Log. said that it you needed his help in person ar in Writing re 219 W Jappa Variance hearing, he would be glad to assist
de de la latritie de 212/17
from de un waters re 219 w Jappa
variance heaving, he would be glad to assist
an am lara.
en any way
Palar Harm was the among in Inchange and
Peter Kern was the appraisor for loans and other Jun poses for me when I furchased the building in Sep 90.
other purposes for me waln & four challes
the building in Sep 90.
If you want me to apport her hawler, et al, regarding this matter, let me know or contact
July to the Sol me Burner on Contact
regarding this matter, let me know or committee
the stime some end.
them from your end.
My Lawler Says man good Things about
mun skell as an astarler.
My hawler Says many good Things about you skill as an attanley. Thank you, offen
The state of the s

